

## UNITED STATES DISTRICT COURT

for the  
Eastern District of Wisconsin

In the Matter of the Search of )  
 (Briefly describe the property to be searched )  
 or identify the person by name and address) )  
 the person of Darius L. McPherson, further )  
 described in Attachment A. )

Case No. 21-1007M(NJ)

**Matter No.: 2021R00238****WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search and seizure of the following person or property located in the \_\_\_\_\_ District of \_\_\_\_\_

(identify the person or describe the property to be searched and give its location):

See Attachment A. Over which this Court has jurisdiction pursuant to 18 U.S.C. §§ 2703 and 2711 and Federal Rule of Criminal Procedure 41.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

See Attachment B.

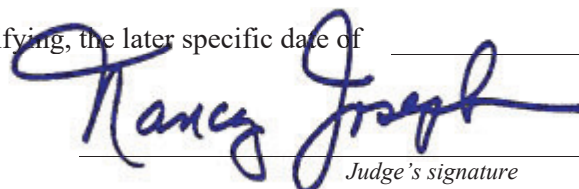
**YOU ARE COMMANDED** to execute this warrant on or before December 17, 2021 (not to exceed 14 days)☐ in the daytime 6:00 a.m. to 10:00 p.m. ☒ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Hon. Nancy Joseph

(United States Magistrate Judge)

☒ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for \_\_\_\_\_ days (not to exceed 30) ☐ until, the facts justifying, the later specific date of \_\_\_\_\_.Date and time issued: 12/3/2021 @ 4:00pm


Judge's signature

City and state: Milwaukee, WisconsinHon. Nancy Joseph, U.S. Magistrate Judge

Printed name and title

<b>Return</b>		
Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
Inventory made in the presence of :		
Inventory of the property taken and name(s) of any person(s) seized:		
<b>Certification</b>		
<p>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 30%;"> <p>Date: _____</p> </div> <div style="width: 65%;"> <p style="text-align: center;">_____</p> <p style="text-align: center;"><i>Executing officer's signature</i></p> <p style="text-align: center;">_____</p> <p style="text-align: center;"><i>Printed name and title</i></p> </div> </div>		

**ATTACHMENT A**

*Person to be searched*

Darius L. MCPHERSON, DOB xx/xx/1990



## **ATTACHMENT B**

### *Property to be seized*

1. All records relating to violations of Title 18, United States Code, Section 922(g)(8), involving Darius L. MCPHERSON and occurring on or after May 5, 2018, including:
  - a. information regarding the identities of any perpetrators and/or co-conspirators;
  - b. information or receipts pertaining to firearms purchases and/or sales;
  - c. information concerning MCPHERSON's schedule, travel, and/or location at particular relevant times;
  - d. relevant bank records, checks, credit card bills, account information, and other financial records;
  - e. relevant photos, videos, IP addresses, contact information, and contact lists;
  - f. text messages, social media messages and content, SMS messages, iMessage data, relating to the sale and/or trade of firearms;
  - g. electronic mail to include the content of the emails, and associated email addresses, relating to the sale and/or trade of firearms;
2. Computers or storage media used as a means to commit or facilitate the violations described above, including cellular phones.
3. Any other firearms or ammunition possessed by MCPHERSON or otherwise involved in the commission of the offense;
4. For any computer or storage medium whose seizure is otherwise authorized by this warrant, and any computer or storage medium that contains or in which is stored records or information that is otherwise called for by this warrant (hereinafter, "COMPUTER"):
  - a. evidence of who used, owned, or controlled the COMPUTER at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved usernames and passwords, documents, browsing history, user profiles, email, email contacts, "chat," instant messaging logs, photographs, and correspondence;
  - b. evidence of software that would allow others to control the COMPUTER, such as viruses, Trojan horses, and other forms of malicious software, as well as evidence of the presence or absence of security software designed to detect malicious software;
  - c. evidence of the lack of such malicious software;



- d. evidence indicating how and when the computer was accessed or used to determine the chronological context of computer access, use, and events relating to crime under investigation and to the computer user;
- e. evidence indicating the computer user's state of mind as it relates to the crime under investigation;
- f. evidence of the attachment to the COMPUTER of other storage devices or similar containers for electronic evidence;
- g. evidence of counter-forensic programs (and associated data) that are designed to eliminate data from the COMPUTER;
- h. evidence of the times the COMPUTER was used;
- i. passwords, encryption keys, and other access devices that may be necessary to access the COMPUTER;
- j. documentation and manuals that may be necessary to access the COMPUTER or to conduct a forensic examination of the COMPUTER;
- k. records of or information about Internet Protocol addresses used by the COMPUTER;
- l. records of or information about the COMPUTER's Internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user entered into any Internet search engine, and records of user-typed web addresses;
- m. contextual information necessary to understand the evidence described in this attachment.

As used above, the terms "records" and "information" includes all forms of creation or storage, including any form of computer or electronic storage (such as hard disks or other media that can store data); any handmade form (such as writing); any mechanical form (such as printing or typing); and any photographic form (such as microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, or photocopies).

The term "computer" includes all types of electronic, magnetic, optical, electrochemical, or other high speed data processing devices performing logical, arithmetic, or storage functions, including desktop computers, notebook computers, mobile phones, tablets, server computers, and network hardware.

The term “storage medium” includes any physical object upon which computer data can be recorded. Examples include hard disks, RAM, floppy disks, flash memory, CD-ROMs, and other magnetic or optical media.

During the execution of the search of MCPHERSON, who is described in Attachment A, law enforcement personnel are authorized to (1) press or swipe the fingers (including thumbs) of MCPHERSON; (2) hold a device found on MCPHERSON in front of MCPHERSON’s face, for the purpose of attempting to unlock the device in order to search the contents as authorized by this warrant.

## UNITED STATES DISTRICT COURT

for the  
Eastern District of WisconsinIn the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)the person of Darius L. McPherson, further  
described in Attachment A.

Case No. 21-1007M(NJ)

**Matter No.: 2021R00238****APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A. Over which this Court has jurisdiction pursuant to 18 U.S.C. §§ 2703 and 2711 and Federal Rule of Criminal Procedure 41.

located in the \_\_\_\_\_ District of \_\_\_\_\_, there is now concealed (identify the person or describe the property to be seized):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. §§ 922(a)(6), 922(d)(1), 922(g)(1), 924(a)(2), 1001; and 21, U.S.C. 841(a)(1), 846	Straw purchase of firearms; providing firearms to a felon; possession of firearms by a felon; false statements and manufacture, distribute or possess controlled substance; and conspiracy to distribute controlled substances.

The application is based on these facts:

See the attached affidavit.

- ☐ Continued on the attached sheet.
- ☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

BRADLEY KURTZWEIL

Digitally signed by BRADLEY KURTZWEIL  
Date: 2021.12.03 15:36:11 -06'00'

Applicant's signature

ATF SA Bradley Kurtzweil

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by  
\_\_\_\_\_ telephone \_\_\_\_\_ (specify reliable electronic means).

Date: 12/3/2021

City and state: Milwaukee, Wisconsin

Hon. Nancy Joseph, U.S. Magistrate Judge

**AFFIDAVIT IN SUPPORT OF AN  
APPLICATION UNDER RULE 41 FOR A  
WARRANT TO SEARCH AND SEIZE**

I, Special Agent Bradley Kurtzweil, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search the person of Darius L. MCPHERSON (DOB xx/xx/1990), who is described in Attachment A, and seize the property described in Attachment B.

2. I am a Special Agent of the United States Justice Department, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), currently assigned to the Milwaukee Field Office. I have been so employed since March 2020. My duties as a Special Agent with ATF include investigating alleged violations of the federal firearms, explosives, and arson statutes.

3. I have completed approximately 26 weeks of training (approximately 1000 hours) at the Federal Law Enforcement Training Center (Glynco, Georgia), as well as the ATF National Academy. That training included various legal courses related to Constitutional Law as well as search and seizure authority. Additionally, I have received training on how to conduct various tasks associated with criminal investigations, such as: interviewing, surveillance, and evidence collection.

4. Prior to my employment with the ATF, I was a sworn Police Officer in the State of Illinois from March 2011 to March 2020. I completed 12 Weeks (approximately 480 hours) of basic training at the Illinois State Police Academy from April 2011 to June 2011.

5. My most recent position as a Police Officer, prior to my employment with ATF, was with the Bolingbrook Police Department in Bolingbrook, IL. While employed by the Bolingbrook Police Department, I was a Patrol Officer from December 2012 until March 2020. From July 2017 until March 2020, I also served as an Evidence Technician, assigned to Patrol. During my time in Bolingbrook, I received eight Written Recognitions and two Commendations.

6. During my career as a Police Officer, I attended approximately 520 hours of additional training in areas including: evidence collection, interview/interrogation, arson and explosives, gang investigations; and drug investigations.

7. In total, I have received training in the investigation of firearm and drug trafficking. Based on my training, experience, and participation in firearm trafficking investigations, I know and/or have observed the following:

- a. I have experience conducting street surveillance of individuals engaged in firearm and drug trafficking. I have participated in the execution of search warrants where drugs, firearms, ammunition, and magazines have been seized;
- b. I am familiar with the language utilized over the telephone to discuss firearm and drug trafficking, and know that the language is often limited, guarded, and coded;
- c. I know that firearm and drug traffickers often use electronic equipment, including cell phones and computers, to conduct these operations;
- d. I know that firearm and drug traffickers commonly have in their possession, and at their residences and other locations where they exercise dominion and control, firearms, ammunition, and records or receipts pertaining to such;

- e. I know that firearm and drug traffickers often put their telephones in nominee names to distance themselves from telephones that are utilized to facilitate these and related offenses; and
  - f. I know that firearm and drug traffickers often use proceeds to purchase assets such as vehicles, property, jewelry, and narcotics. I also know that firearm and drug traffickers often use nominees to purchase and/or title these assets to avoid scrutiny from law enforcement officials. I also know what firearm and drug traffickers may keep photographs of these items on electronic devices.
8. I have participated in firearm and drug trafficking investigations that involved the seizure of computers, cellular phones, cameras, and other digital storage devices, and the subsequent analysis of electronic data stored within these computers, cellular phones, cameras, and other digital storage devices. In many occasions, this electronic data has provided evidence of the crimes being investigated and corroborated information already known or suspected by law enforcement.
9. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter.
10. The information below is known to me through my personal knowledge, training, and experience, and through information provided to me by other law enforcement officers, who have provided information to me during the course of their official duties and whom I consider to be truthful and reliable.

11. I submit this affidavit for the limited purpose of demonstrating sufficient probable cause for the requested warrant. It does not set forth all of my knowledge about this matter.

12. Based on the circumstances described below, there is probable cause to believe that Darius L. MCPHERSON (DOB: xx/xx/1990), of South Milwaukee, Wisconsin, has violated Title 18, United States Code, Sections, 922(g)(8). There is probable cause to search the person, MCPHERSON, as described in Attachment A, for evidence of these crimes, which is further described in Attachment B.

### **PROBABLE CAUSE**

13. On May 21, 2021, a backpack containing several firearms was located by the Freeport (Illinois) Police Department while conducting an investigation into the gang-related homicide of a 16-year-old juvenile on May 20, 2021.

14. One of the firearms recovered on May 21, 2021, is a Canik, Model TP9SFX, 9mm Pistol, bearing serial number 21BC22998.

15. A subsequent trace of the Canik 9mm pistol indicated that the firearm was purchased by Amunique Grant (DOB XX/XX/1998) on April 19, 2021, from Fleet Farm in Germantown, Wisconsin.

16. ATF SA Kurtzweil learned Grant had also purchased an additional firearm, a Beretta, Model APX, 9mm pistol, serial number A126332X from the Fleet Farm in Germantown, Wisconsin, on March 4, 2021.

17. SA Kurtzweil obtained the ATF Form 4473 for both purchases from Fleet Farm and observed the address used by Grant to purchase the firearms, listed as 3851 North 14th Street, Milwaukee, Wisconsin, was an old address which Grant had not resided at since November 2020.

18. SA Kurtzweil also learned Grant had reported both firearms stolen to the Milwaukee Police Department on April 28, 2021. Grant reported both were stolen from the North 14th Street address between April 26, 2021, and April 27, 2021.

19. SA Kurtzweil obtained the video from Fleet Farm regarding the April 19, 2021 purchase and observed a male subject with Grant during the purchase of the firearm. The male subject appeared to be significantly involved in the purchase of the firearm, including appearing to look at the firearms and direct Grant as to which one to buy. The male subject was later identified as Deonta Champion (DOB XX/XX/1994).

20. On June 17, 2021, ATF Special Agents interviewed Grant at the ATF Field Office in Milwaukee, Wisconsin. During the interview, Grant stated she knew nothing about guns and was not interested in guns, but she had purchased both firearms for protection. She stated she never purchased any ammunition for the firearms.

21. During the same interview, Grant stated her current boyfriend, Deonta Champion (DOB XX/XX/1994), with whom she lives/stays, is a convicted felon and had requested she purchase firearms for him in the past. Grant also stated Champion was with her during both purchases at Fleet Farm and stated Champion directed her regarding which firearms to purchase.

22. Additionally, Grant admitted to filing a false police report with the Milwaukee Police Department. Grant stated the firearms were not stolen, but she had sold them to an unknown subject with the help of Champion. Grant stated the sale was brokered using Facebook messenger and that she received payment for the firearms to her "Cash app." Grant also stated Champion helped arrange the firearms transactions.



23. Grant advised Agents she would provide them with the cell phone she used to operate Facebook, however, after multiple attempts to retrieve the cell phone from Grant, she told Agents she no longer wished to cooperate with the investigation.

24. Grant stated she received \$700 for each of the firearms, but she did not keep any records of the sale and she did not know whether the person to whom she sold the firearms was a prohibited person.

25. Milwaukee County Circuit Court records reflect that in 2019, Deonta Champion was convicted of a felony and therefore prohibited from possessing a firearm.

26. SA Kurtzweil located a Facebook account for Grant, which agents confirmed was her account via publicly available pictures posted to the account. Grant's Facebook account username was determined to be, "Amuniquee Champion (Ammiee)". The Facebook user ID associated with the account is ID # 100033765421794. A Federal Search warrant 21-934M(NJ) was obtained on June 29, 2021 and subsequently executed on Facebook.

27. Upon review of Grant's Facebook data, SA Kurtzweil was able to determine the Facebook profile listed as "Latrell Westbrook, Facebook ID 100042488418826," is GRANT's boyfriend, Deonta CHAMPION.

28. A federal search warrant (21-M-455 (SCD)) was obtained on August 9, 2021 and subsequently executed on Facebook for CHAMPION's Facebook account, "Latrell Westbrook" [ID 100042488418826].

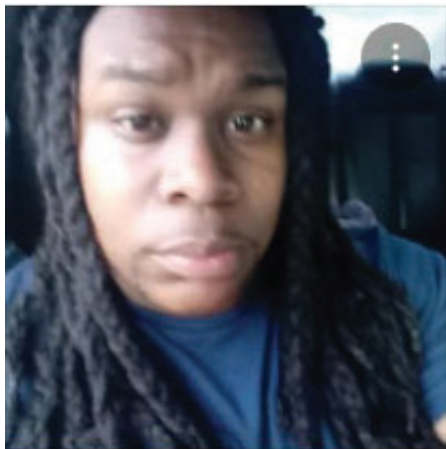
29. SA Kurtzweil reviewed CHAMPION's Facebook account and found evidence CHAMPION is actively involved in the buying, selling and/or trading of ammunition and firearms.

30. During the review of CHAMPION's Facebook records, SA Kurtzweil observed he had an ongoing conversation with Facebook user, "Darion Mcpherson ID # 100000575608391."

SA Kurtzweil identified “Darion Mcpherson,” as Darius L. MCPHERSON (M/B DOB xx/xx/1991) via his publicly available Facebook photos and his State of Wisconsin Driver’s license photo (Figure 1). SA Kurtzweil determined MCPHERSON to be federally prohibited from owning firearms due to an Injunction-Domestic Abuse/Order of Protection issued on May 11, 2018 and expiring on May 11, 2022 (Milwaukee County Case 18CV3665). SA Kurtzweil also observed MCPHERSON was notified both in writing and verbally on or about February 7, 2020 and again on July 21, 2020 by ATF of his prohibited status related to attempted purchases of firearms and subsequent NICS denials (ATF Case Numbers 772120-20-0032 and 778000-20-0001).

31. On June 5, 2021, MCPHERSON sent CHAMPION his phone number and then 13 photos of various firearms. CHAMPION asked MCPHERSON how much he wanted for the “Draco,” to which MCPHERSON told him “Ill go for 700 n throw in some ammunition.” CHAMPION told him “Okay I’ll hit u up when ready” (Figure 2).

Facebook



WI Driver’s License

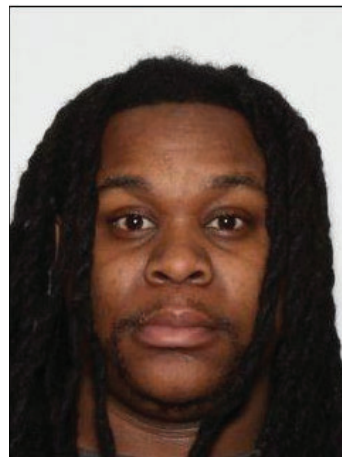


Figure 1

**Author**

Darion Mcpherson (Facebook: 100000575608391)

**Sent** 2021-06-05 19:14:12 UTC**Body** Call me 7735770767**Author** Darion Mcpherson (Facebook: 100000575608391)**Sent** 2021-06-05 22:53:44 UTC**Body** Darion sent 13 photos**Attachments** image-2985953275008998 (2985953275008998)**Type** image/jpeg**Size** 62413**URL** [https://interncache-eag.fbcdn.net/v/t1.15752-9/196322188\\_2985953278342331\\_4155600176290395875\\_n.jpg?ccb=1-3&nc\\_sid=73a6a0&efg=eyJ1cmxnZW40IjwaH8fdXJsZ2VuX2NsaWVudC9pbW9nZW46RmJlTWVkaWVudGlsYj96\\_nc\\_ad=z-m6\\_nc\\_cid=06\\_nc\\_ht=intercache-eag&oh=93726f6dd7280ed95a623ad2da5ee2&oe=60F5F801](https://interncache-eag.fbcdn.net/v/t1.15752-9/196322188_2985953278342331_4155600176290395875_n.jpg?ccb=1-3&nc_sid=73a6a0&efg=eyJ1cmxnZW40IjwaH8fdXJsZ2VuX2NsaWVudC9pbW9nZW46RmJlTWVkaWVudGlsYj96_nc_ad=z-m6_nc_cid=06_nc_ht=intercache-eag&oh=93726f6dd7280ed95a623ad2da5ee2&oe=60F5F801)

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Type image/jpeg  
Size 105835  
URL https://interncache-eag.fbcdn.net/v/t1.15752-9/843x403/139441325\_762216784700690\_6598975874147705430\_n.jpg?ccb=1-3&nc\_sid=73a6a06efg=eyj1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RfJTWVkaWVudGiscy96\_nC\_ad=z-m6\_nc\_cid=06\_nc\_ht=interncache-eag&oh=fe1fb05ba5ad3c806ecabf0c71a2d556oe=60F51DFC



Photo ID 2445625205581186

image-906160703390181 (906160703390181)  
Type image/jpeg  
Size 59195  
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9



Photo ID 906160703390181

image-1146108272566643 (1146108272566643)  
Type image/jpeg  
Size 27635  
URL https://interncache-eag.fbcdn.net/v/t1.15752-9/139800731\_176510657561794\_7289238422387570664\_n.jpg?ccb=1-3&nc\_sid=73a6a06efg=eyj1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RfJTWVkaWVudGiscy96\_nc\_ad=z-m6\_nc\_cid=06\_nc\_ht=interncache-eag&oh=c4b50aee71dc91b25193c0e548e6eeb66oe=60F4B267



Photo ID 1146108272566643

image-2907227029526253 (2907227029526253)  
Type image/jpeg  
Size 44161  
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Figure 2

32. A federal search warrant (21-MJ-167 (WED)) was obtained on October 5, 2021 and subsequently executed on Facebook for MCPHERSON's Facebook account, "Darion Mcpherson" [ID 100000575608391].

33. SA Kurtzweil reviewed MCPHERSON's Facebook account and found MCPHERSON is actively engaged in selling and/or trading of ammunition and firearms. While reviewing the records, SA Kurtzweil observed MCPHERSON attempted to sell/trade firearms as part of vehicle transactions on approximately eighteen (18) separate occasions between June 5, 2021 and October 5, 2021, however, approximately ten (10) of those attempts were between September 30, 2021 and October 5, 2021.



34. On October 5, 2021, MCPHERSON offered Facebook user, “Seville Seemorecash, ID# 100041282370411,” “clean firearms” while negotiating with him about a vehicle MCPHERSON was trying to sell. MCPHERSON sent pictures of ammunition and firearms to “Seemorecash” (Figure 3).

**Author** Darion Mcpherson (Facebook: 100000575608391)

**Sent**

2021-10-05 02:16:43 UTC

**Body** I do have clean firearms for sell as well

**Author** Darion Mcpherson (Facebook: 100000575608391)

**Sent** 2021-10-05 02:17:26 UTC

**Body** You sent 3 photos.

**Attachments** image-293460682296031 (293460682296031)

**Type** image/jpeg

**Size** 1112958

**URL** [https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/243512623\\_390717842506342\\_8076158729585085106\\_n.jpg?ccb=1-5&\\_nc\\_sid=73a6a0&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RFJlTWVkaWVdGlscy9&\\_nc\\_ad=z-m&\\_nc\\_cid=0&\\_nc\\_ht=interncache-cln&oh=d5c5354bef2201d2a2e1cdb44c3af43b&oe=618F4C8C](https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/243512623_390717842506342_8076158729585085106_n.jpg?ccb=1-5&_nc_sid=73a6a0&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RFJlTWVkaWVdGlscy9&_nc_ad=z-m&_nc_cid=0&_nc_ht=interncache-cln&oh=d5c5354bef2201d2a2e1cdb44c3af43b&oe=618F4C8C)



**Photo ID** 293460682296031

image-553604292577302 (553604292577302)

**Type** image/jpeg

**Size** 1097657

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600x600/244058438\_415849789950073\_89797  
86364209370619\_n.jpg?ccb=1-5&\_nc\_sid=73a6  
a0&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2Nsa  
WVudC9pbW9nZW46RFJlTWVkaWFVdGlscyJ9&\_n  
c\_ad=z-m&\_nc\_cid=0&\_nc\_ht=interncache-cln&  
oh=7417b358cd095b05ccb8c7f8a5ae6c06&oe=  
618FC2E3



Photo ID 553604292577302

image-839827343364707 (839827343364707)

**Type** image/jpeg

**Size** 1326668

**URL** [https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/243501749\\_564190894889133\\_2413394410480549287\\_n.jpg?ccb=1-5&\\_nc\\_sid=73a6a0&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RFJlTWVkaWFVdGlscyJ9&\\_nc\\_ad=z-m&\\_nc\\_cid=0&\\_nc\\_ht=interncache-cln&oh=36a3f8d6c9ba6461a2aafdc034eaf910&oe=618FD08E](https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/243501749_564190894889133_2413394410480549287_n.jpg?ccb=1-5&_nc_sid=73a6a0&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RFJlTWVkaWFVdGlscyJ9&_nc_ad=z-m&_nc_cid=0&_nc_ht=interncache-cln&oh=36a3f8d6c9ba6461a2aafdc034eaf910&oe=618FD08E)





Photo ID 839827343364707

Figure 3

35. On October 2, 2021, MCPHERSON offered firearms and ammunition as part of a trade for a vehicle, to Facebook user, “Victor Statz, ID# 100002783829257,” as long as a Bill of Sale would be completed (Figure 4).

**Body**

You named the group Darion · 1999 Chevrolet Suburban · Sport Utility.

**Author** Darion Mcpherson (Facebook: 100000575608391)

**Sent** 2021-10-02 01:44:28 UTC

**Body** You changed the group photo.

**Author** Darion Mcpherson (Facebook: 100000575608391)

**Sent** 2021-10-02 01:44:30 UTC

**Body** Are u interested in clean firearms with ammunition

**Author** Victor Statz (Facebook: 100002783829257)

**Sent** 2021-10-02 01:44:51 UTC

**Body** What do you have to offer?

**Author** Darion Mcpherson (Facebook: 100000575608391)

**Sent** 2021-10-02 01:46:21 UTC

**Body** My sniper rifle maybe my ar 15 n my 454 rage bull

**Author** Victor Statz (Facebook: 100002783829257)

**Sent** 2021-10-02 01:46:40 UTC

**Body** Pictures?

**Author** Darion Mcpherson (Facebook: 100000575608391)

**Sent** 2021-10-02 01:47:01 UTC

**Body** You sent 5 photos.

**Attachments** image-389885962635571 (389885962635571)

**Type** image/jpeg  
**Size** 1271770

**URL** [https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/243579011\\_389885969302237\\_8011844317544361466\\_n.jpg?ccb=1-5&nc\\_sid=73a6a0&efg=eyJ1cmxnZW40IjwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RfJTWVkaWVkdGlscyJ9&nc\\_ad=z-m&nc\\_cid=0&nc\\_ht=interncache-cln&oh=49aeb3fb50c762249f0a58e953d192a9&oe=618E13A7](https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/243579011_389885969302237_8011844317544361466_n.jpg?ccb=1-5&nc_sid=73a6a0&efg=eyJ1cmxnZW40IjwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RfJTWVkaWVkdGlscyJ9&nc_ad=z-m&nc_cid=0&nc_ht=interncache-cln&oh=49aeb3fb50c762249f0a58e953d192a9&oe=618E13A7)

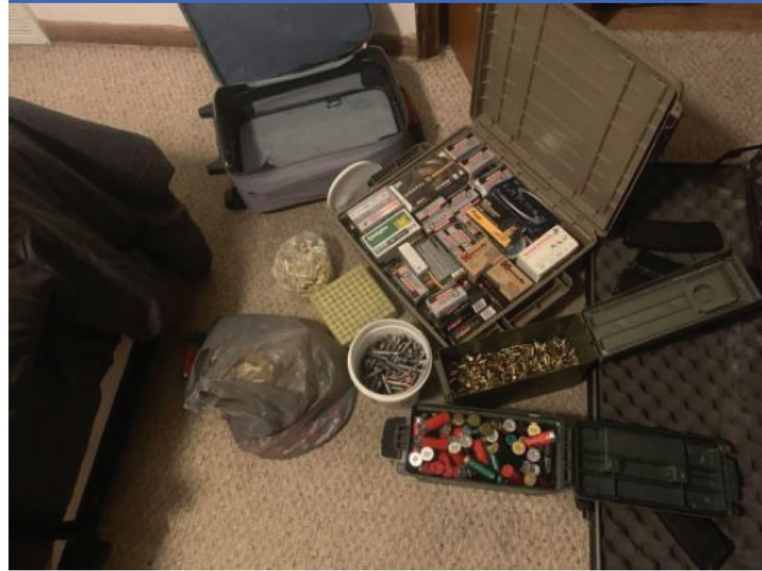


Photo ID 389885962635571

image-390717835839676 (390717835839676)

**Type** image/jpeg  
**Size** 1112958

**URL** [https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/243512623\\_390717842506342\\_8076158729585085106\\_n.jpg?ccb=1-5&nc\\_sid=73a6a0&efg=eyJ1cmxnZW40IjwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RfJTWVkaWVkdGlscyJ9&nc\\_ad=z-m&nc\\_cid=0&nc\\_ht=interncache-cln&oh=d5c5354bef2201d2a2e1cdb44c3af43b&oe=618F4C8C](https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/243512623_390717842506342_8076158729585085106_n.jpg?ccb=1-5&nc_sid=73a6a0&efg=eyJ1cmxnZW40IjwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RfJTWVkaWVkdGlscyJ9&nc_ad=z-m&nc_cid=0&nc_ht=interncache-cln&oh=d5c5354bef2201d2a2e1cdb44c3af43b&oe=618F4C8C)



Photo ID 390717835839676

image-415849786616740 (415849786616740)

**Type** image/jpeg  
**Size** 1097657

**URL** [https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/244058438\\_415849789950073\\_8979786364209370619\\_n.jpg?ccb=1-5&nc\\_sid=73a6a0&efg=eyJ1cmxnZW40IjwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RfJTWVkaWVkdGlscyJ9&nc\\_ad=z-m&nc\\_cid=0&nc\\_ht=interncache-cln&oh=7417b358cd095b05ccb8c7f8a5ae6c06&oe=618FC2E3](https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/244058438_415849789950073_8979786364209370619_n.jpg?ccb=1-5&nc_sid=73a6a0&efg=eyJ1cmxnZW40IjwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RfJTWVkaWVkdGlscyJ9&nc_ad=z-m&nc_cid=0&nc_ht=interncache-cln&oh=7417b358cd095b05ccb8c7f8a5ae6c06&oe=618FC2E3)



Photo ID 415849786616740

image-56419088822467 (56419088822467)

**Type** image/jpeg  
**Size** 1326668

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Photo ID 564190888222467

image-3341309119433859 (3341309119433859)

Type image/jpeg  
Size 68406

URL https://interncache-cln.fbcdn.net/v/t1.15752-9/244023432\_3341309122767192\_4152171843009302572\_n.jpg?ccb=1-5&amp;nc\_sid=73a6a0&amp;efg=eyj1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9pZW9nZW46RFJlTWVkaWVudGlscy9&amp;nc\_ad=z-m&amp;nc\_cid=0&amp;nc\_ht=interncache-cln&amp;oh=45d240317294be96004e455c78ce6704&amp;oe=618CF190



Photo ID 3341309119433859

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-10-02 01:47:33 UTC  
**Body** My ar 15 i built come with 3 drum 4 30 round mag

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-10-02 01:47:47 UTC  
**Body** I got 1400 just in that alone

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-10-02 01:49:34 UTC  
**Body** My sniper rifle is a 308

**Author** Victor Statz (Facebook: 100002783829257)  
**Sent** 2021-10-02 01:49:54 UTC  
**Body** So what would you trade for the truck?

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-10-02 01:50:59 UTC  
**Body** Probably either my sniper rifle or ar 15 with everything that come with it and \$500 in cash

**Author** Victor Statz (Facebook: 100002783829257)  
**Sent** 2021-10-02 01:59:11 UTC  
**Body** Would the ar15 come with the drum mags?

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-10-02 02:03:25 UTC  
**Body** Yes the ar would come with all three drum and 4 30 round mag with ammunition the all the drum already have ammunition in it come with a strap to carry and a case for everything

**Author** Darion Mcpherson (Facebook: 100000575608391)

Facebook Business Record

Page 1277

Sent

2021-10-02 02:06:06 UTC

Body I can meet u I just know if u willing to sign a bill of sale

Author Victor Statz (Facebook: 100002783829257)

Sent 2021-10-02 02:08:21 UTC

Body What brand is the ar15 and the sniper?

Author Darion Mcpherson (Facebook: 100000575608391)

Sent 2021-10-02 02:11:08 UTC

Body The sniper is a 1500 howa chassis heavy duty barrel 308 bolt action

Author Darion Mcpherson (Facebook: 100000575608391)

Sent 2021-10-02 02:13:50 UTC

Body My at 15 is areo Precision best at there is

Author Darion Mcpherson (Facebook: 100000575608391)

Sent 2021-10-02 02:33:46 UTC

Body I really want that truck bro

Author Darion Mcpherson (Facebook: 100000575608391)

Sent 2021-10-02 03:04:26 UTC

Body 7735770767

Author Victor Statz (Facebook: 100002783829257)

Sent 2021-10-02 03:33:45 UTC

Body I'll give you a call when I can. I'm busy atm. You're the 3 rd person to message me but you seem the most interested

Author Darion Mcpherson (Facebook: 100000575608391)

Sent 2021-10-02 05:05:04 UTC

Body Yes i am i want it ill come get it

Author Victor Statz (Facebook: 100002783829257)

Sent 2021-10-02 05:24:42 UTC

Body Victor changed the listing description.

Author Victor Statz (Facebook: 100002783829257)

Sent 2021-10-02 05:26:04 UTC

Body Victor changed the price for 1999 Chevrolet Suburban.

Author Victor Statz (Facebook: 100002783829257)

Sent 2021-10-02 05:26:43 UTC

Body Victor reduced the price to \$1,950 for 1999 Chevrolet Suburban.

Author Victor Statz (Facebook: 100002783829257)

Sent 2021-10-02 05:27:54 UTC

Body Victor changed the listing description.

Author Darion Mcpherson (Facebook: 100000575608391)

Sent 2021-10-02 05:29:16 UTC

Body I just had a new born and the only valuable thing I have is my firearms my child come first sit so i will give u my ar 15 all three drum and over 700 worth of ammunition just sign a bill of sale

Author Victor Statz (Facebook: 100002783829257)

Sent 2021-10-02 15:04:05 UTC

Body I really want to take the trade but unfortunately I am very much in

Facebook Business Record

Page 1278

need of the cash

Author Darion Mcpherson (Facebook: 100000575608391)

Sent 2021-10-02 22:26:38 UTC

Body I understand but let me know ifu change your mind

Author Victor Statz (Facebook: 100002783829257)

Sent 2021-10-02 22:59:45 UTC

Body I will keep your offer in mind

Author Darion Mcpherson (Facebook: 100000575608391)

Sent 2021-10-02 23:06:33 UTC

Body Ok

Author Victor Statz (Facebook: 100002783829257)

Sent 2021-10-04 03:26:15 UTC

Body Victor changed the price for 1999 Chevrolet Suburban.

Author Victor Statz (Facebook: 100002783829257)

Sent 2021-10-05 21:16:04 UTC

Body Victor changed the listing description.

Author Victor Statz (Facebook: 100002783829257)

Sent 2021-10-05 21:17:08 UTC

Body Victor changed the listing description.

Author Victor Statz (Facebook: 100002783829257)

Sent 2021-10-05 21:17:39 UTC

Body Victor changed the listing description.

Figure 4

36. On September 26, 2021, MCPHERSON asked Facebook user, “Ralphy Davis, ID# 100065515055113,” if they knew anyone that was into firearms because he was looking to sell. The conversation that followed included MCPHERSON sending pictures of ammunition and firearms to Davis and MCPHERSON telling Davis, “I can get anything u want as far as guns all clean no dirty guns.” It also appeared that Davis and MCPHERSON were talking about a Marijuana transaction between them during the conversation about firearms (Figure 5).

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-09-26 00:26:33 UTC  
**Body** Aye speaking of u know someone thats into firearms im trying to sell them

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-09-26 00:26:41 UTC  
**Body** R u on the south side now

Facebook Business Record		Page 1178
<b>Author</b>	Darion Mcpherson (Facebook: 100000575608391)	
<b>Sent</b>	2021-09-26 00:26:55 UTC	
<b>Body</b>	We can come to u	
<b>Author</b>	Ralphy Davis (Facebook: 100065515055113)	
<b>Sent</b>	2021-09-26 00:26:57 UTC	
<b>Body</b>	Yea	
<b>Author</b>	Darion Mcpherson (Facebook: 100000575608391)	
<b>Sent</b>	2021-09-26 00:27:44 UTC	
<b>Body</b>	Where u at im about to come	
<b>Author</b>	Darion Mcpherson (Facebook: 100000575608391)	
<b>Sent</b>	2021-09-26 00:27:45 UTC	
<b>Body</b>	You sent 3 photos.	
<b>Attachments</b>	image-188381256737094 (188381256737094)	
	<b>Type</b>	image/jpeg
	<b>Size</b>	1354273
	<b>URL</b>	https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/242908111_556425432288036_4859045096743322626_n.jpg?ccb=1-5&_nc_sid=73a6a0&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RFJjTWVkaWVkdGlscyJ9&_nc_ad=z-m&_nc_cid=0&_nc_ht=interncache-cln&oh=2c9765bcd8e163d02a89777b18df5975&oe=618C708C



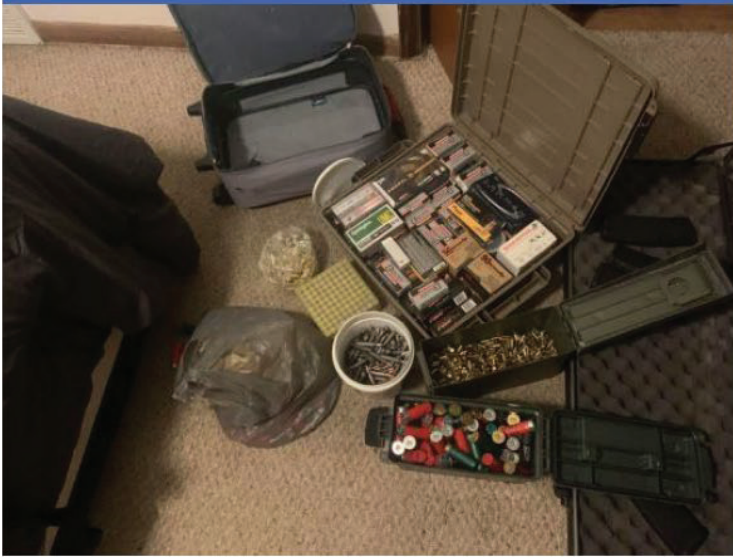


Photo ID 188381256737094

image-379229123567649 (379229123567649)

Type image/jpeg

Size 1175029

URL [https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/240822907\\_581263803291235\\_1285728255672565628\\_n.jpg?ccb=1.5&\\_nc\\_sid=73a6a0&efg=eyJ1cmxnZW40IjwaHBfdXJsZ2ZVuX2NsaWVudC9pbW9nZW46RFJlTWVkaWVudGiscy96\\_n\\_c\\_ad=z-m&\\_nc\\_cid=0&\\_nc\\_ht=interncache-cln&oh=f73e11a11dcb58c031bee4f772449f7c&oe=618CE637](https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/240822907_581263803291235_1285728255672565628_n.jpg?ccb=1.5&_nc_sid=73a6a0&efg=eyJ1cmxnZW40IjwaHBfdXJsZ2ZVuX2NsaWVudC9pbW9nZW46RFJlTWVkaWVudGiscy96_n_c_ad=z-m&_nc_cid=0&_nc_ht=interncache-cln&oh=f73e11a11dcb58c031bee4f772449f7c&oe=618CE637)



Photo ID 379229123567649

image-269104675215717 (269104675215717)

Type image/jpeg

Size 1229188

URL [https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/233666282\\_353169899759192\\_5734103567385954828\\_n.jpg?ccb=1.5&\\_nc\\_sid=73a6a0&efg=eyJ1cmxnZW40IjwaHBfdXJsZ2ZVuX2NsaWVudC9pbW9nZW46RFJlTWVkaWVudGiscy96\\_n\\_c\\_ad=z-m&\\_nc\\_cid=0&\\_nc\\_ht=interncache-cln&oh=f3f41988bfcaa360a5bba993f76f188a&oe=618F45B9](https://interncache-cln.fbcdn.net/v/t1.15752-9/p600x600/233666282_353169899759192_5734103567385954828_n.jpg?ccb=1.5&_nc_sid=73a6a0&efg=eyJ1cmxnZW40IjwaHBfdXJsZ2ZVuX2NsaWVudC9pbW9nZW46RFJlTWVkaWVudGiscy96_n_c_ad=z-m&_nc_cid=0&_nc_ht=interncache-cln&oh=f3f41988bfcaa360a5bba993f76f188a&oe=618F45B9)



Photo ID 269104675215717

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-09-26 00:28:53 UTC  
**Body** Grab some smoke from u

**Author** Ralph Davis (Facebook: 100065515055113)  
**Sent** 2021-09-26 00:29:07 UTC  
**Body** I need those guns bro

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-09-26 00:29:28 UTC  
**Body** Im selling bro fr fr

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-09-26 00:29:46 UTC  
**Body** I can get anything u want as far as guns all clean no dirty guns

**Author** Ralph Davis (Facebook: 100065515055113)  
**Sent** 2021-09-26 00:29:48 UTC  
**Body** Fwm plug me on sun

**Author** Ralph Davis (Facebook: 100065515055113)  
**Sent** 2021-09-26 00:30:04 UTC

**Body** I need all handguns

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-09-26 00:33:36 UTC  
**Body** You called Ralphy.

**Call Record** **Missed** false  
**Duration** 202

**Author** Ralph Davis (Facebook: 100065515055113)  
**Sent** 2021-09-26 05:03:45 UTC  
**Body** You still up

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-09-26 05:05:09 UTC  
**Body** Yeah

**Author** Ralph Davis (Facebook: 100065515055113)  
**Sent** 2021-09-26 05:17 UTC  
**Body** You still need that smoke

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-09-26 05:05:51 UTC  
**Body** Nah she good

**Author** Ralph Davis (Facebook: 100065515055113)  
**Sent** 2021-09-26 05:06:00 UTC  
**Body** Ok

**Author** Ralph Davis (Facebook: 100065515055113)  
**Sent** 2021-09-26 23:45:10 UTC  
**Body** Ralphy sent a photo.

**Attachments** image-208721827868367 (208721827868367)  
**Type** image/jpeg  
**Size** 380493  
**URL** [https://interncache.cdn.fbcdn.net/v/t1.15752-9/p843x403/243142418\\_625792955514100\\_3230510948512935759\\_n.jpg?ccb=1-5&nc\\_sid=73a6a0&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RFJlTWVkaWVdGlscyJ9&nc\\_ad=z-m&nc\\_cid=0&nc\\_ht=interncache.cdn&oh=d59bfd0fc1b5d2175a41aae27d06c3e&oe=618CB9F1](https://interncache.cdn.fbcdn.net/v/t1.15752-9/p843x403/243142418_625792955514100_3230510948512935759_n.jpg?ccb=1-5&nc_sid=73a6a0&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RFJlTWVkaWVdGlscyJ9&nc_ad=z-m&nc_cid=0&nc_ht=interncache.cdn&oh=d59bfd0fc1b5d2175a41aae27d06c3e&oe=618CB9F1)



Photo ID

208721827868367

**Author** Ralph Davis (Facebook: 100065515055113)  
**Sent** 2021-09-28 00:25:15 UTC  
**Body** I need some handguns

**Author** Ralph Davis (Facebook: 100065515055113)  
**Sent** 2021-09-28 01:18:37 UTC  
**Body** You got me

Figure 5

37. In a conversation which began on August 29, 2021, MCPHERSON asked Facebook user, “Tommy Gaspardo, ID# 100052804835450,” “What kind of stuff are you into for trade I have clean firearms as I’m a ccw.” MCPHERSON sent sixteen (16) pictures of firearms, body armor and ammunition to Gaspardo (Figure 6).

Thread (4592983024059688)

**Current** 2021-10-14 17:18:03 UTC

**Participants** Darion Mcpherson (Facebook: 100000575608391)  
 Tommy Gaspardo (Facebook: 100052804835450)

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-08-29 00:46:28 UTC  
**Body** You named the group Darion · Custom built minibike.

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-08-29 00:46:28 UTC  
**Body** You changed the group photo.

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-08-29 00:46:30 UTC  
**Body** Hi Tommy, is this still available?

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-08-29 00:47:06 UTC  
**Body** What kind of stuff are you into for trade I have clean firearms as I’m a ccw

**Author** Tommy Gaspardo (Facebook: 100052804835450)  
**Sent** 2021-08-29 00:55:06 UTC  
**Body** I am into 2nd amendment goodies, what do you have

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-08-29 00:59:07 UTC  
**Body** You sent 16 photos.

**Attachments** Image-1301582856941287 (1301582856941287)**Type** image/jpeg**Size** 1245760

**URL** [https://interncache-cln.fbcdn.net/v/t1.15752-9/p843x403/240857637\\_429008325215556\\_396899297988493694\\_n.jpg?ccb=1-5&\\_nc\\_sid=73a6a0&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RFJlTWVkaWVdGlscy9&\\_nc\\_ad=z-m&\\_nc\\_cid=0&\\_nc\\_ht=interncache-cln&oh=82ef55d2591f4bd0edd1ac30ea362213&oe=618EB386](https://interncache-cln.fbcdn.net/v/t1.15752-9/p843x403/240857637_429008325215556_396899297988493694_n.jpg?ccb=1-5&_nc_sid=73a6a0&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RFJlTWVkaWVdGlscy9&_nc_ad=z-m&_nc_cid=0&_nc_ht=interncache-cln&oh=82ef55d2591f4bd0edd1ac30ea362213&oe=618EB386)





Facebook Business Record Page 1886

Photo ID  
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Facebook Business Record Page 1888

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Photo ID 1457799744604256

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URL <https://intencache-cln.fcdn.net/vt/1.15752-9/p/>

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c\_ad=z-m&nc\_cid=06\_nc\_ht=intercache-cln&  
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WVudC9pbW9nZW46RjJTWVkaWVdGlsy96\_n  
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Photo ID 2908736529378547

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D41



Photo ID 871906406789695

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&nc\_cid=06\_nc\_ht=intercache-cln&oh=15b1  
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4



Photo ID 198905012161722

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D



Photo ID 386905449822817

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01F





Photo ID 140390044934536

image-2997449943849652 (2997449943849652)

Type image/jpeg

Size 39742

URL https://interncache-cin.fcdn.net/vt1.15752-9/139715524\_345450276422500\_7723013318815783572\_n.jpg?ccb=1-5&nc\_sid=73a6a0&efg=eyJ1cmxnZW40OjwaH8fdXsZ2VuX2NsaWVudC9pbW9nZW46RjJTWkkaWFVdGlsicy96\_&nc\_ad=z-m&nc\_cid=0&nc\_ht=interncache-cin&oh=9174753ec37b0d140f3efd41a4cf6e426oe=618C4834



Photo ID 2997449943849652

image-440789187184487 (440789187184487)

Type image/jpeg

Size 64181

URL https://interncache-cin.fcdn.net/vt1.15752-9/p720x720/138468809\_1013071372515387\_1257836900795648528\_n.jpg?ccb=1-5&nc\_sid=73a6a0&efg=eyJ1cmxnZW40OjwaH8fdXsZ2VuX2NsaWVudC9pbW9nZW46RjJTWkkaWFVdGlsicy96\_&nc\_ad=z-m&nc\_cid=0&nc\_ht=interncache-cin&oh=6b9315f4f39b6524a9fc84b7b169ca6oe=618F4771



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image-362196395555276 (362196395555276)

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Size 44161

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Photo ID 362196395555276

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Type image/jpeg

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18F5D7C



Photo ID 922815995114845

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Size 59195

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Photo ID

4499652660077467

image-361814822324063 (361814822324063)

Type image/jpeg

Size 27635

URL [https://interncache-cln.fbcdn.net/v/t1.15752-9/139800731\\_176510657561794\\_7289238422387570664\\_n.jpg?ccb=1-5&nc\\_sid=73a6a0&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RlJTWVkaWVdGlsyJ9&nc\\_ad=z-m&nc\\_cid=0&nc\\_ht=interncache-cln&oh=f8597eead5eccfd16dc542c0157819ac6oe=618EF1E7](https://interncache-cln.fbcdn.net/v/t1.15752-9/139800731_176510657561794_7289238422387570664_n.jpg?ccb=1-5&nc_sid=73a6a0&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9pbW9nZW46RlJTWVkaWVdGlsyJ9&nc_ad=z-m&nc_cid=0&nc_ht=interncache-cln&oh=f8597eead5eccfd16dc542c0157819ac6oe=618EF1E7)



Photo ID 361814822324063

image-542420993648231 (542420993648231)

Type image/jpeg

Size 174449

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oh=bb69ab795e27208a4be92ed30d17d373&oe=618C8D5A



Photo ID 542420993648231

Author Tommy Gaspardo (Facebook: 100052804835450)

Sent 2021-08-29 01:00:44 UTC

Body Can you tell me more about the gun in the first pic with the drum mag

Author Tommy Gaspardo (Facebook: 100052804835450)

Sent 2021-08-29 01:00:45 UTC

Body Create a plan to schedule your meetup. Create Plan(fb://marketplace/meeting\_plan?thread\_key=4592983024059688&referral\_surface=messenger\_thread\_view)

Author Darion Mcpherson (Facebook: 100000575608391)

Sent 2021-08-29 01:02:31 UTC

Body That my ar 15 which takes 223 and 556 either or i have three more drum along with 3 30 round mag i paid 850 for the ar which came with 1 mag the extra for the three drum and other 2 mag ran me about 400 not including ammunition

Author Darion Mcpherson (Facebook: 100000575608391)

**Sent** 2021-08-29 01:07:32 UTC  
**Body** Im also looking for a trailer to pull if u know someone who has one

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-08-29 01:09:26 UTC  
**Body** Rv trailer i shoulda been more specific

**Author** Tommy Gaspardo (Facebook: 100052804835450)  
**Sent** 2021-08-29 01:09:28 UTC  
**Body** Okay. Do how much 5.56 ammo you got?

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-08-29 01:09:54 UTC  
**Body** I can get as much as you need

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-08-29 01:10:13 UTC  
**Body** Probably about couple thousand

**Author** Tommy Gaspardo (Facebook: 100052804835450)  
**Sent** 2021-08-29 01:13:29 UTC  
**Body** Okay awesome, I have a long day at work tomorrow so I'm going to hit the sack for the night. Very interested in that ar15 and sum of that ammo. Let me get back to you in the morning boss

**Author** Tommy Gaspardo (Facebook: 100052804835450)  
**Sent** 2021-08-29 01:13:29 UTC  
**Body** Create a plan to schedule your meetup. Create Plan(fb://marketplace/meeting\_plan?thread\_key=4592983024059688&referral\_surface=messenger\_thread\_view)

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-08-29 01:15:08 UTC  
**Body** Ok

**Author** Tommy Gaspardo (Facebook: 100052804835450)  
**Sent** 2021-08-29 03:48:03 UTC  
**Body** Tommy changed the listing description.

**Author** Tommy Gaspardo (Facebook: 100052804835450)  
**Sent** 2021-08-29 23:32:44 UTC  
**Body** So say I wanted that ar15 with the drum mags, and a bunch of ammo

**Author** Tommy Gaspardo (Facebook: 100052804835450)  
**Sent** 2021-08-29 23:33:23 UTC  
**Body** How much would I have to throw in on my end?

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-09-01 00:13:19 UTC  
**Body** At least 750

**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-09-01 00:14:27 UTC  
**Body** I have 1200 in my ar without the drum u take u take one drum u have to take all of them n i want 800 total for everything

**Author** Tommy Gaspardo (Facebook: 100052804835450)

Facebook Business Record		Page 1902
<b>Sent</b>	2021-09-01 03:48:32 UTC	
<b>Body</b>	800 with the minibike?	
<b>Author</b>	Tommy Gaspardo (Facebook: 100052804835450)	
<b>Sent</b>	2021-09-01 03:48:33 UTC	
<b>Body</b>	Create a plan to schedule your meetup. Create Plan(fb://marketplace/meeting_plan?thread_key=4592983024059688&referral_surface=messenger_thread_view)	
<b>Author</b>	Darion Mcpherson (Facebook: 100000575608391)	
<b>Sent</b>	2021-09-01 03:53:24 UTC	
<b>Body</b>	Yes	
<b>Author</b>	Darion Mcpherson (Facebook: 100000575608391)	
<b>Sent</b>	2021-09-01 03:53:29 UTC	
<b>Body</b>	It's your	
<b>Author</b>	Darion Mcpherson (Facebook: 100000575608391)	
<b>Sent</b>	2021-09-01 03:53:29 UTC	
<b>Body</b>	Create a plan to schedule your meetup. Create Plan(fb://marketplace/meeting_plan?thread_key=4592983024059688&referral_surface=messenger_thread_view)	
<b>Author</b>	Darion Mcpherson (Facebook: 100000575608391)	
<b>Sent</b>	2021-09-01 20:12:33 UTC	
<b>Body</b>	Are you interested	
<b>Author</b>	Tommy Gaspardo (Facebook: 100052804835450)	
<b>Sent</b>	2021-09-02 02:08:53 UTC	
<b>Body</b>	Sorry man. I think I need the money a little more than I need another toy right now. But I'm going to add you as a friend because I definitely saw some things in those pics I want so I'll keep in touch	
<b>Author</b>	Tommy Gaspardo (Facebook: 100052804835450)	
<b>Sent</b>	2021-09-02 02:08:58 UTC	
<b>Body</b>	Touch*	
<b>Author</b>	Darion Mcpherson (Facebook: 100000575608391)	
<b>Sent</b>	2021-09-02 02:09:18 UTC	
<b>Body</b>	Ok	
<b>Author</b>	Darion Mcpherson (Facebook: 100000575608391)	
<b>Sent</b>	2021-09-02 02:09:33 UTC	
<b>Body</b>	I'll add u	

Figure 6

38. SA Kurtzweil also observed the same conversation with CHAMPION in MCPHERSON's records as was present in CHAMPION's records, as noted in paragraph 30 and 31 above.

39. On August 7, 2021, MCPHERSON sent his address, 2808 5<sup>th</sup> Ave, South Milwaukee, to another Facebook user during conversation (Figure 7).



**Author** Darion Mcpherson (Facebook: 100000575608391)  
**Sent** 2021-08-07 23:41:00 UTC  
**Body** My address is 2808 5th ave south Milwaukee

Figure 7

40. SA Kurtzweil obtained MCPHERSON's State of Wisconsin Driver's License record, which indicated MCPHERSON's address: 2808 5<sup>th</sup> Avenue, South Milwaukee, Wisconsin. The license was issued on September 24, 2021.

41. SA Kurtzweil discovered several local police contacts for MCPHERSON. The most recent was by the South Milwaukee police department on November 7, 2021, at which time an Officer spoke with MCPHERSON at his residence, 2808 5<sup>th</sup> Avenue, South Milwaukee, Wisconsin.

42. 2808 5<sup>th</sup> Avenue, South Milwaukee, Wisconsin is part of a property that is listed "For Sale." SA Kurtzweil reviewed publicly available photographs posted on real estate websites that depict MCPHERSON's unit. The real estate listing's posted photos of the living area appear to be the same place where MCPHERSON took photos of his firearms (Figures 8 and 9).



Figure 8





Figure 9

43. SA Kurtzweil conducted surveillance of MCPHERSON's residence on November 12, 2021, and November 30, 2021. On both occasions, a silver dodge charger, known to belong to MCPHERSON was present at the residence.

44. SA Kurtzweil knows Facebook Messenger is commonly used on cellular devices and computers. Facebook Messenger is one of the primary methods of communication used by MCPHERSON as referenced above. Based on training and experience, SA Kurtzweil believes MCPHERSON will have in his personal possession the electronic communication hardware (cell phone and/or computer) that he uses to communicate with other individuals as referenced above.

#### **COMPUTERS, ELECTRONIC STORAGE, AND FORENSIC ANALYSIS**

45. As described above and in Attachment B, this application seeks permission to search for records that might be found on MCPHERSON, in whatever form they are found. One form in which the records might be found is data stored on a computer's hard drive or other storage media, which includes cell phones. Thus, the warrant applied for would authorize the seizure of

electronic storage media, which includes computers and cell phones, or, potentially, the copying of electronically stored information, all under Rule 41(e)(2)(B).

46. I submit that if a computer or storage medium is found on MCPHERSON, there is probable cause to believe those records will be stored on that computer or storage medium, for at least the following reasons:

47. Based on my knowledge, training, and experience, I know that computer files or remnants of such files can be recovered months or even years after they have been downloaded onto a storage medium, deleted, or viewed via the Internet. Electronic files downloaded to a storage medium can be stored for years at little or no cost. Even when files have been deleted, they can be recovered months or years later using forensic tools. This is so because when a person “deletes” a file on a computer, the data contained in the file does not actually disappear; rather, that data remains on the storage medium until it is overwritten by new data.

48. Therefore, deleted files, or remnants of deleted files, may reside in free space or slack space—that is, in space on the storage medium that is not currently being used by an active file—for long periods of time before they are overwritten. In addition, a computer’s operating system may also keep a record of deleted data in a “swap” or “recovery” file.

49. Wholly apart from user-generated files, computer storage media—in particular, computers’ internal hard drives—contain electronic evidence of how a computer has been used, what it has been used for, and who has used it. To give a few examples, this forensic evidence can take the form of operating system configurations, artifacts from operating system or application operation, file system data structures, and virtual memory “swap” or paging files. Computer users typically do not erase or delete this evidence, because special software is typically required for that task. However, it is technically possible to delete this information.

50. Similarly, files that have been viewed via the Internet are sometimes automatically downloaded into a temporary Internet directory or “cache.”

51. Forensic evidence. As further described in Attachment B, this application seeks permission to locate not only computer files that might serve as direct evidence of the crimes described on the warrant, but also for forensic electronic evidence that establishes how computers were used, the purpose of their use, who used them, and when. There is probable cause to believe that this forensic electronic evidence will be on any storage medium in possession by MCPHERSON because:

52. Data on the storage medium can provide evidence of a file that was once on the storage medium but has since been deleted or edited, or of a deleted portion of a file (such as a paragraph that has been deleted from a word processing file). Virtual memory paging systems can leave traces of information on the storage medium that show what tasks and processes were recently active. Web browsers, e-mail programs, and chat programs store configuration information on the storage medium that can reveal information such as online nicknames and passwords. Operating systems can record additional information, such as the attachment of peripherals, the attachment of USB flash storage devices or other external storage media, and the times the computer was in use. Computer file systems can record information about the dates files were created and the sequence in which they were created, although this information can later be falsified.

53. As explained herein, information stored within a computer and other electronic storage media may provide crucial evidence of the “who, what, why, when, where, and how” of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and

experience, information stored within a computer or storage media (e.g., registry information, communications, images and movies, transactional information, records of session times and durations, internet history, and anti-virus, spyware, and malware detection programs) can indicate who has used or controlled the computer or storage media. This “user attribution” evidence is analogous to the search for “indicia of occupancy” while executing a search warrant at a residence. The existence or absence of anti-virus, spyware, and malware detection programs may indicate whether the computer was remotely accessed, thus inculcating or exculpating the computer owner. Further, computer and storage media activity can indicate how and when the computer or storage media was accessed or used. For example, as described herein, computers typically contain information that log: computer user account session times and durations, computer activity associated with user accounts, electronic storage media that connected with the computer, and the IP addresses through which the computer accessed networks and the internet. Such information allows investigators to understand the chronological context of computer or electronic storage media access, use, and events relating to the crime under investigation. Additionally, some information stored within a computer or electronic storage media may provide crucial evidence relating to the physical location of other evidence and the suspect. For example, images stored on a computer may both show a particular location and have geolocation information incorporated into its file data. Such file data typically also contains information indicating when the file or image was created. The existence of such image files, along with external device connection logs, may also indicate the presence of additional electronic storage media (e.g., a digital camera or cellular phone with an incorporated camera). The geographic and timeline information described herein may either inculcate or exculpate the computer user. Last, information stored within a computer may provide relevant insight into the computer user’s state of mind as it relates to the

offense under investigation. For example, information within the computer may indicate the owner's motive and intent to commit a crime (e.g., internet searches indicating criminal planning), or consciousness of guilt (e.g., running a "wiping" program to destroy evidence on the computer or password protecting/encrypting such evidence in an effort to conceal it from law enforcement).

54. A person with appropriate familiarity with how a computer works can, after examining this forensic evidence in its proper context, draw conclusions about how computers were used, the purpose of their use, who used them, and when.

55. The process of identifying the exact files, blocks, registry entries, logs, or other forms of forensic evidence on a storage medium that are necessary to draw an accurate conclusion is a dynamic process. While it is possible to specify in advance the records to be sought, computer evidence is not always data that can be merely reviewed by a review team and passed along to investigators. Whether data stored on a computer is evidence may depend on other information stored on the computer and the application of knowledge about how a computer behaves. Therefore, contextual information necessary to understand other evidence also falls within the scope of the warrant.

56. Further, in finding evidence of how a computer was used, the purpose of its use, who used it, and when, sometimes it is necessary to establish that a particular thing is not present on a storage medium. For example, the presence or absence of counter-forensic programs or anti-virus programs (and associated data) may be relevant to establishing the user's intent.

57. Necessity of seizing or copying entire computers or storage media. In most cases, a thorough search of a premises for information that might be stored on storage media often requires the seizure of the physical storage media and later off-site review consistent with the warrant. In lieu of removing storage media from the premises, it is sometimes possible to make an

image copy of storage media. Generally speaking, imaging is the taking of a complete electronic picture of the computer's data, including all hidden sectors and deleted files. Either seizure or imaging is often necessary to ensure the accuracy and completeness of data recorded on the storage media, and to prevent the loss of the data either from accidental or intentional destruction. This is true because of the following:

58. The time required for an examination. As noted above, not all evidence takes the form of documents and files that can be easily viewed on site. Analyzing evidence of how a computer has been used, what it has been used for, and who has used it requires considerable time, and taking that much time on premises could be unreasonable. As explained above, because the warrant calls for forensic electronic evidence, it is exceedingly likely that it will be necessary to thoroughly examine storage media to obtain evidence. Storage media can store a large volume of information. Reviewing that information for things described in the warrant can take weeks or months, depending on the volume of data stored, and would be impractical and invasive to attempt on-site.

59. Technical requirements. Computers can be configured in several different ways, featuring a variety of different operating systems, application software, and configurations. Therefore, searching them sometimes requires tools or knowledge that might not be present on the search site. The vast array of computer hardware and software available makes it difficult to know before a search what tools or knowledge will be required to analyze the system and its data on the Premises. However, taking the storage media off-site and reviewing it in a controlled environment will allow its examination with the proper tools and knowledge.

60. Variety of forms of electronic media. Records sought under this warrant could be stored in a variety of storage media formats that may require off-site reviewing with specialized forensic tools.

61. Nature of examination. Based on the foregoing, and consistent with Rule 41(e)(2)(B), the warrant I am applying for would permit seizing, imaging, or otherwise copying storage media that reasonably appear to contain some or all of the evidence described in the warrant and would authorize a later review of the media or information consistent with the warrant. The later review may require techniques, including but not limited to computer-assisted scans of the entire medium, that might expose many parts of a hard drive to human inspection in order to determine whether it is evidence described by the warrant.

62. The warrant I am applying for would permit law enforcement to obtain from certain individuals the display of physical biometric characteristics (such as fingerprint, thumbprint, or facial characteristics) in order to unlock devices subject to search and seizure pursuant to this warrant. I seek this authority based on the following:

63. I know from my training and experience, as well as from information found in publicly available materials published by device manufacturers, that many electronic devices, particularly newer mobile devices and laptops, offer their users the ability to unlock the device through biometric features in lieu of a numeric or alphanumeric passcode or password. These biometric features include fingerprint scanners and facial recognition features. Some devices offer a combination of these biometric features, and the user of such devices can select which features they would like to utilize.

64. If a device is equipped with a fingerprint scanner, a user may enable the ability to unlock the device through his or her fingerprints. For example, Apple offers a feature called

“Touch ID,” which allows a user to register up to five fingerprints that can unlock a device. Once a fingerprint is registered, a user can unlock the device by pressing the relevant finger to the device’s Touch ID sensor, which is found in the round button (often referred to as the “home” button) located at the bottom center of the front of the device. The fingerprint sensors found on devices produced by other manufacturers have different names but operate similarly to Touch ID.

65. If a device is equipped with a facial recognition feature, a user may enable the ability to unlock the device through his or her face. For example, Apple offers a facial recognition feature called “Face ID.” During the Face ID registration process, the user holds the device in front of his or her face. The device’s camera then analyzes and records data based on the user’s facial characteristics. The device can then be unlocked if the camera detects a face with characteristics that match those of the registered face. Facial recognition features found on devices produced by other manufacturers have different names but operate similarly to Face ID.

66. In my training and experience, users of electronic devices often enable the aforementioned biometric features because they are considered to be a more convenient way to unlock a device than by entering a numeric or alphanumeric passcode or password. Moreover, in some instances, biometric features are considered to be a more secure way to protect a device’s contents. This is particularly true when the users of a device are engaged in criminal activities and thus have a heightened concern about securing the contents of a device.

67. As discussed in this affidavit, based on my training and experience I believe that one or more digital devices will be found during the search. The passcode or password that would unlock the device(s) subject to search under this warrant is not known to law enforcement. Thus, law enforcement personnel may not otherwise be able to access the data contained within the



device(s), making the use of biometric features necessary to the execution of the search authorized by this warrant.

68. I also know from my training and experience, as well as from information found in publicly available materials including those published by device manufacturers, that biometric features will not unlock a device in some circumstances even if such features are enabled. This can occur when a device has been restarted, inactive, or has not been unlocked for a certain period of time. For example, Apple devices cannot be unlocked using Touch ID when (1) more than 48 hours has elapsed since the device was last unlocked or (2) when the device has not been unlocked using a fingerprint for 4 hours and the passcode or password has not been entered in the last 156 hours. Biometric features from other brands carry similar restrictions. Thus, in the event law enforcement personnel encounter a locked device equipped with biometric features, the opportunity to unlock the device through a biometric feature may exist for only a short time.

69. Due to the foregoing, if law enforcement personnel encounter a device that is subject to search and seizure pursuant to this warrant and may be unlocked using one of the aforementioned biometric features, the warrant I am applying for would permit law enforcement personnel to (1) press or swipe the fingers (including thumbs) of MCPHERSON; (2) hold the device in front of MCPHERSON's face and activate the facial recognition feature, for the purpose of attempting to unlock the device in order to search its contents as authorized by this warrant.

### **CONCLUSION**

70. I submit that this affidavit supports probable cause for a warrant to search the person of MCPHERSON as described in Attachment A and seize the items described in Attachment B.

**ATTACHMENT A**

*Person to be searched*

Darius L. MCPHERSON, DOB xx/xx/1990



## **ATTACHMENT B**

### *Property to be seized*

1. All records relating to violations of Title 18, United States Code, Section 922(g)(8), involving Darius L. MCPHERSON and occurring on or after May 5, 2018, including:
  - a. information regarding the identities of any perpetrators and/or co-conspirators;
  - b. information or receipts pertaining to firearms purchases and/or sales;
  - c. information concerning MCPHERSON's schedule, travel, and/or location at particular relevant times;
  - d. relevant bank records, checks, credit card bills, account information, and other financial records;
  - e. relevant photos, videos, IP addresses, contact information, and contact lists;
  - f. text messages, social media messages and content, SMS messages, iMessage data, relating to the sale and/or trade of firearms;
  - g. electronic mail to include the content of the emails, and associated email addresses, relating to the sale and/or trade of firearms;
2. Computers or storage media used as a means to commit or facilitate the violations described above, including cellular phones.
3. Any other firearms or ammunition possessed by MCPHERSON or otherwise involved in the commission of the offense;
4. For any computer or storage medium whose seizure is otherwise authorized by this warrant, and any computer or storage medium that contains or in which is stored records or information that is otherwise called for by this warrant (hereinafter, "COMPUTER"):
  - a. evidence of who used, owned, or controlled the COMPUTER at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved usernames and passwords, documents, browsing history, user profiles, email, email contacts, "chat," instant messaging logs, photographs, and correspondence;
  - b. evidence of software that would allow others to control the COMPUTER, such as viruses, Trojan horses, and other forms of malicious software, as well as evidence of the presence or absence of security software designed to detect malicious software;
  - c. evidence of the lack of such malicious software;

- d. evidence indicating how and when the computer was accessed or used to determine the chronological context of computer access, use, and events relating to crime under investigation and to the computer user;
- e. evidence indicating the computer user's state of mind as it relates to the crime under investigation;
- f. evidence of the attachment to the COMPUTER of other storage devices or similar containers for electronic evidence;
- g. evidence of counter-forensic programs (and associated data) that are designed to eliminate data from the COMPUTER;
- h. evidence of the times the COMPUTER was used;
- i. passwords, encryption keys, and other access devices that may be necessary to access the COMPUTER;
- j. documentation and manuals that may be necessary to access the COMPUTER or to conduct a forensic examination of the COMPUTER;
- k. records of or information about Internet Protocol addresses used by the COMPUTER;
- l. records of or information about the COMPUTER's Internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user entered into any Internet search engine, and records of user-typed web addresses;
- m. contextual information necessary to understand the evidence described in this attachment.

As used above, the terms "records" and "information" includes all forms of creation or storage, including any form of computer or electronic storage (such as hard disks or other media that can store data); any handmade form (such as writing); any mechanical form (such as printing or typing); and any photographic form (such as microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, or photocopies).

The term "computer" includes all types of electronic, magnetic, optical, electrochemical, or other high speed data processing devices performing logical, arithmetic, or storage functions, including desktop computers, notebook computers, mobile phones, tablets, server computers, and network hardware.



The term “storage medium” includes any physical object upon which computer data can be recorded. Examples include hard disks, RAM, floppy disks, flash memory, CD-ROMs, and other magnetic or optical media.

During the execution of the search of MCPHERSON, who is described in Attachment A, law enforcement personnel are authorized to (1) press or swipe the fingers (including thumbs) of MCPHERSON; (2) hold a device found on MCPHERSON in front of MCPHERSON’s face, for the purpose of attempting to unlock the device in order to search the contents as authorized by this warrant.